IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.8824 OF 2005

M/s.S.D. Kothavale Construction : Petitioner

V/s.

State of Maharashtra & Ors. : Respondents

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None present for the petitioner.

Mr.S.R.Nargolkar, Asstt. Govt. Pleader for respondent Nos.1 & 2.

Mr.K.V.Tembekar for respondent No.3.

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CORAM : V.G.PALSHIKAR,Acg.C.J.& SMT.N.N. MHATRE, J.

DATE : January 24, 2006.

P.C.

This matter was adjourned on two earlier occasions, at the request of the learned counsel for the petitioner. Today, when the matter was called out, nobody is present for the petitioner. Looking to the prayers in the petition, it is obvious that the proper remedy for the petitioner is to file a suit for setting aside the sale effected. Reserving that remedy to the petitioner, the petition is dismissed.

Acg.CHIEF JUSTICE

SMT.N.N. MHATRE, J.